

**Congress of the United States  
House of Representatives**

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY

2321 RAYBURN HOUSE OFFICE BUILDING.

WASHINGTON, DC 20515-6301

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[www.science.house.gov](http://www.science.house.gov)

August 10, 2015

The Honorable Gina McCarthy  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460

Dear Administrator McCarthy:

The Committee on Science, Space, and Technology is conducting oversight of the recent toxic water spill at the Gold King Mine near Durango, Colorado. According to news reports, on August 5, 2015, a team from the Environmental Protection Agency (EPA), "accidentally caused" contaminated water from the mine to flow into the Animas River.<sup>1</sup> The orange water from the spill is reportedly flowing across the Colorado border into New Mexico.<sup>2</sup> On August 9, 2015, officials from the EPA said "that the Gold King Mine discharged an estimated 3 million gallons of contaminated water, three times the amount previously believed."<sup>3</sup> It has been five days since the spill and the EPA has failed to answer important questions, including whether the polluted water poses health risks to humans or animals.<sup>4</sup>

It is concerning that the agency charged with ensuring that the nation's waters are clean is reportedly responsible for the toxic water spill at Gold King Mine. A spill of this magnitude could be devastating for the families who live nearby and depend on the Animas River in their daily lives.<sup>5</sup> It is imperative that the EPA quickly take steps to repair the damage from this spill. Moreover, it is vitally important that the EPA learn why this happened and what the agency can do to prevent this from ever occurring again.

In order to ascertain more information about the toxic water spill at the Gold King Mine, I request that you provide the Committee with a briefing as soon as possible, but by no later than Monday, August 17, with all obtainable facts surrounding the toxic water spill. Please provide continual updates on the situation on a weekly basis. Additionally, in accordance with U.S.

<sup>1</sup> Eli Watkins, *EPA Crew Accidentally Turns Animas River Orange*, CNN, Aug. 8, 2015, available at <http://www.cnn.com/2015/08/07/us/colorado-epa-mine-river-spill-irp/>.

<sup>2</sup> *Id.*

<sup>3</sup> Steve Garrison & Joshua Kellogg, *EPA: Pollution from Mine Spill Much Worse Than Feared*, USA TODAY, Aug. 10, 2015, available at <http://www.usatoday.com/story/news/nation/2015/08/09/navajo-nation-epa-spill/31384515/>.

<sup>4</sup> Julie Turkwitz, *Anger Rises as EPA Increases Estimate of Toxic Water Spill at Colorado Mine*, N.Y. TIMES, Aug. 10, 2015, available at <http://www.nytimes.com/2015/08/11/us/durango-colorado-mine-spill-environmental-protection-agency.html>.

<sup>5</sup> *See Id.*

House of Representatives Rule X, please provide the following documents and information as soon as possible, but no later than August 24, 2015.

1. All documents and materials related to the results of water analysis conducted on the Animas River and affected bodies of water resulting from the Gold King Mine spill.
2. All documents and materials related to chemicals present in the mine waste water that spilled into the Animas River from the Gold King Mine retention pond.
3. All documents and materials related to the Environmental Protection Agency site investigation at Gold King Mine that led to the spill of chemicals into the Animas River.
4. All documents and materials related to the reported ongoing flow of mine waste water being retained and treated in holding ponds at the Gold King Mine site.
5. All documents and materials related to any known or identified chemicals associated with the Gold King Mine spill and the risks those chemicals pose to humans and wildlife after the toxic water spill in the Animas River and surrounding areas.

When producing documents to the Committee, please deliver production sets to the Majority Staff in Room 2321 of the Rayburn House Office Building and the Minority Staff in Room 394 of the Ford House Office Building. The Committee prefers, if possible, to receive all documents in electronic format.

If you have any questions about this request, please contact Drew Colliatie or Lamar Echols of the Science, Space, and Technology Committee staff at 202-225-6371. Thank you for your attention to this matter.

Sincerely,



Lamar Smith  
Chairman

cc: The Honorable Eddie Bernice Johnson, Ranking Minority Member, House Committee on Science, Space and Technology